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10/579,939	05/19/2006	Gaetano Rizzi	TNET101	9810
21658 7590 06/25/2009 DYKAS, SHAVER & NIPPER, LLP P.O. BOX 877 BOISE, ID 83701-0877				
EXAMINER				
HERRERA, DIEGO D				
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2617				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/579,939

Applicant(s)

RIZZI, GAETANO

Examiner

DIEGO HERRERA

Art Unit

2617

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) 42 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41, 43 and 44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Priority

Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, a certified English translation of the foreign application must be submitted in reply to this action. 37 CFR 41.154(b) and 41.202(e).

Failure to provide a certified translation may result in no benefit being accorded for the non-English application.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 5/19/2006 was filed. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Oath/Declaration

Oath/Declaration submitted date of receipt: 5/19/2006 includes the inventor's signature and other pertinent information required.

Claim Objections

Claims 3-4, 12, 24-25, and 33 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. These claims above are dependent on multiple claims making it unclear as to how the claim subject matter is to be further limiting by the above

Art Unit: 2617

claims and the dependent claims it currently depends on. However, for the sake of compact prosecution the examiner will consider improper claims dependent on descending order further limiting the claimed invention.

Response to Amendment

Regarding claims submitted on 1/25/2007, claims 1-41, 43, and 44 were amended. Claim 42 has been cancelled. NO NEW MATTER INTRODUCED.

Specification

Specification has been amended to include proper headings throughout the application filed on 1/25/2007.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-41, 43, and 44 are rejected under 35 U.S.C. 102(b) as being anticipated by Linnet et al. (US 20030034881 A1).

Regarding claim 1. A system for the management of emergency situations

(abstract), the system comprising:

a mobile terminal equipped with an electronic card apt to implement access functions to a mobile phone network (fig. 5-7, abstract, title, ¶: 17, Linnet et al. teaches emergency communications network), the electronic card comprising

Art Unit: 2617

memory areas containing personal data of an owner of said electronic card (§: 28-30, Linnet et al. teaches SIMM card containing personal data); wherein said electronic card has aid functions, which make the electronic card at least partially operative when said mobile terminal is operating in emergency conditions (§: 24, 28-30, Linnet et al. teaches memory means may also store use information which can be retrieved for transmission with at least one emergency contact reference, hence, operative when emergency function is activated).

Consider claim 22. A method for the management of emergency situations (abstract) through a mobile terminal equipped with an electronic card apt to implement functions for accessing a mobile phone network (fig. 4-7), the electronic card comprising memory areas containing personal data of an owner of said electronic card (abstract, title, fig. 4-7, 10, §:24-25, 28-30, Linnet et al. teaches memory means may also store use information which can be retrieved for transmission with at least one emergency contact reference, hence, operative when emergency function is activated), the method comprising:

a first phase of inserting said electronic card into said mobile terminal (fig. 11-12, §: 28-30)

a second phase of switching on said mobile terminal (fig. 11-12, §: 28-30), and a third phase of checking whether aid is actually necessary, said third phase preceding a request of a personal identification code of said electronic card (§: 94-100, fig. 4-7, abstract, Linnet et al. teaches activated in an emergency).

Consider claim 44. An electronic card for use in association with a mobile terminal (fig. 4-7, §: 24-25) and apt to implement access functions to a mobile

Art Unit: 2617

phone network (fig. 5-7, abstract, title, ¶: 17, Linnet et al. teaches emergency communications network), the electronic card comprising memory areas containing personal data of an owner of said electronic card (¶: 28-30, Linnet et al. teaches SIMM card containing personal data), and wherein the electronic card is equipped with aid functions, which make the electronic card operative at least in part, when said mobile terminal operates in an emergency state (¶: 24, 28-30, Linnet et al. teaches memory means may also store use information which can be retrieved for transmission with at least one emergency contact reference, hence, operative when emergency function is activated).

Consider claim 2. The system according to claim 1, wherein said mobile terminal includes a display (¶: 36, Linnet et al. teaches liquid crystal display (LCD) unit) and said aid functions comprise a function of visualization of said personal data on the display of said mobile terminal (¶: 45, 61-69, 71 Linnet et al. teaches measures taken to insure information is inputted and displayed on mobile terminal and stored in SIM or user programmable memory module).

Consider claim 3. The system according to claim 2, wherein said mobile terminal includes a memory area and said aid functions comprise a function of transferring said personal data into the memory area of said mobile terminal (¶: 45, 61-69, 71 Linnet et al. teaches measures taken to insure information is inputted and displayed on mobile terminal and stored in SIM or user programmable memory module).

Consider claim 4. The system according to claim 2, wherein said electronic card is provided with a personal identification code (¶: 29-30, Linnet et al. teaches

Art Unit: 2617

user name and a personal identification number stored in memory means that may be a SIMM card).

Consider claim 5. The system according to claim 4, wherein said electronic card, before checking said personal identification code, verifies whether there is a need for medical aid, or a need for signaling that someone got lost (abstract, fig. 4-7, ¶: 99-100 Linnet et al. shows a dead man/emergency switch and means to deactivate verifying emergency before PIN is verified).

Consider claim 6. The system according to claim 5, wherein said electronic card allows choosing between a need for medical aid and a need to signal that someone got lost (abstract, title, fig. 4-7, ¶: 51, 61-68, 89, 101, Linnet et al. teaches PLB signal for locating person and SIMM card provides information about pre-existing medical conditions and other personal information).

Consider claim 7. The system according to claim 5, wherein said mobile terminal includes a keyboard and a need of aid is indicated through pressing a key on the keyboard of said mobile terminal (fig. 4, ¶: 28, Linnet et al. teaches key pad on mobile terminal for inputting numbers and information).

Consider claim 8. The system according to claim 5, wherein if there is a need of medical aid, said electronic card enables forwarding of a message to a service center (abstract, fig. 5-7, ¶: 24, 29-30, 55, Linnet et al. teaches emergency monitoring centers and memory on SIMM card transmitting information retrieved with at least one emergency contact).

Consider claim 9. The system according to claim 5, wherein if there is a need of medical aid, said electronic card enables a call to a service center (abstract, fig.

Art Unit: 2617

5-7, ¶: 24, 29-30, 55, Linnet et al. teaches emergency monitoring centers and memory on SIMM card transmitting information retrieved with at least one emergency contact).

Consider claim 10. The system according to claim 8, further comprising said mobile phone network, wherein the forwarding of said message to said service center is detected by suitable means of said mobile phone network, and further means of said mobile phone network provide for detecting a position of said mobile terminal (fig. 7, ¶: 24-25, Linnet et al. teaches PLB and GPS equipped mobile terminal when in distress sending position of mobile terminal including other information).

Consider claim 11. The system according to claim 9, further comprising said mobile phone network, wherein said call to said service center is detected by suitable means of said mobile phone network, and further means of said mobile phone network provide for detecting a position of said mobile terminal (fig. 7).

Consider claim 12. The system according to claim 11, wherein said position is sent to said service center (¶: 24-25).

Consider claim 13. The system according to any one of the claim 5, further comprising a service center that includes a database containing personal data of the owner of said electronic card, and wherein if there is a need of medical aid, said electronic card enables forwarding of a message to said service center (abstract, title, fig. 4-7, 10, ¶: 24-25, 51-54).

Art Unit: 2617

Consider claim 14. The system according to claim 13, wherein said service center transmits said personal data to a first aid center (abstract, title, fig. 4-7, 10, ¶: 24-25, 51-54).

Consider claim 15. The system according to claim 13, wherein said service center transmits said personal data and a position of said mobile terminal to a first aid center (abstract, title, fig. 4-7, 10, ¶: 24-25, 51-54).

Consider claim 16. The system according to claim 14, wherein said service center connects said mobile terminal to said first aid center (abstract, title, fig. 4-7, 10, ¶: 24-25, 51-54).

Consider claim 17. The system according to claim 13, characterized in that wherein said personal data comprise telephone numbers to be contacted in case of emergency (abstract, title, fig. 4-7, 10, ¶: 24-25, 45, 51-54, Linnet et al. teaches contact numbers).

Consider claim 18. The system according to claim 17, wherein said service center connects said mobile terminal to one or more of said telephone numbers to be contacted in case of emergency (abstract, title, fig. 4-7, 10, ¶: 24-25, 45, 51-54, Linnet et al. teaches contact numbers).

Consider claim 19. The system according to claim 17, wherein said service center connects said mobile terminal to a first aid center and to one or more of said telephone numbers to be contacted in case of emergency (fig. 4-7, ¶: 94-100).

Consider claim 20. The system according to claim 5, wherein telephone numbers to be contacted in case of emergency are stored in said electronic card,

Art Unit: 2617

and if it is necessary to signal that somebody got lost, said electronic card enables the telephone numbers to be called one after the other in a sequence of calls (fig. 4-7, ¶: 94-100).

Consider claim 21. The system according to claim 20, wherein said sequence of calls is terminated when an answer is received from one of said telephone numbers to be called in case of emergency (abstract, title, fig. 4-7, 10, ¶: 24-25, 45, 51-54, Linnet et al. teaches contact numbers).

Consider claim 23. The method according to claim 22, further comprising, if there is need of aid visualizing said personal data on a display of said mobile terminal (¶: 45, 61-69, 71 Linnet et al. teaches measures taken to insure information is inputted and displayed on mobile terminal and stored in SIM or user programmable memory module).

Consider claim 24. The method according to claim 23, further comprising, if there is need of aid, transferring said personal data into a memory area of said mobile terminal (¶: 45, 61-69, 71 Linnet et al. teaches measures taken to insure information is inputted and displayed on mobile terminal and stored in SIM or user programmable memory module).

Consider claim 25. The method according to claim 23, wherein before verifying a personal identification code, said electronic card checks whether a medical aid is necessary or somebody got lost (abstract, fig. 4-7, ¶: 99-100 Linnet et al. shows a dead man/emergency switch and means to deactivate verifying emergency before PIN is verified).

Consider claim 26. The method according to claim 25, wherein said electronic card allows choosing between a need for medical aid and a need to signal that somebody got lost (abstract, title, fig. 4-7, ¶: 51, 61-68, 89, 101, Linnet et al. teaches PLB signal for locating person and SIMM card provides information about pre-existing medical conditions and other personal information).

Consider claim 27. The method according to claim 25, further comprising indicating a need of aid by pressing a key on a keyboard of said mobile terminal (fig. 4, ¶: 28, Linnet et al. teaches key pad on mobile terminal for inputting numbers and information).

Consider claim 28. The method according to claim 25, wherein if aid is necessary, said electronic card enables forwarding of a message to a service center (abstract, fig. 5-7, ¶: 24, 29-30, 55, Linnet et al. teaches emergency monitoring centers and memory on SIMM card transmitting information retrieved with at least one emergency contact).

Consider claim 29. The method according to claim 25, wherein if aid is necessary, said electronic card enables a call to a service center (abstract, fig. 5-7, ¶: 24, 29-30, 55, Linnet et al. teaches emergency monitoring centers and memory on SIMM card transmitting information retrieved with at least one emergency contact).

Consider claim 30. The method according to claim 28, wherein suitable means of said mobile phone network detect the forwarding of said message to said service center, and further means of said mobile phone network provide for detecting a position of said mobile terminal (fig. 7, ¶: 24-25, Linnet et al. teaches

Art Unit: 2617

PLB and GPS equipped mobile terminal when in distress sending position of mobile terminal including other information).

Consider claim 31. The method according to claim 29, wherein suitable means of said mobile phone network detect said call to said service center, and further means of said mobile phone network provide for detecting a position of said mobile terminal (fig. 7).

Consider claim 32. The method according to claim 30, wherein said position is transmitted to said service center (¶¶: 24-25).

Consider claim 33. The method according to claim 29, wherein said service center includes a database with personal data of the owner of said electronic card (abstract, title, fig. 4-7, 10, ¶¶: 24-25, 51-54).

Consider claim 34. The method according to claim 33, further comprising transmitting said personal data from said service center to an aid center (abstract, title, fig. 4-7, 10, ¶¶: 24-25, 45, 51-54, Linnet et al. teaches contact numbers).

Consider claim 35. The method according to claim 33, further comprising transmitting said personal data and a position of said mobile terminal from said service center to an aid center (abstract, title, fig. 4-7, 10, ¶¶: 24-25, 45, 51-54, Linnet et al. teaches contact numbers).

Consider claim 36. The method according to claim 34, wherein said service center connects said mobile terminal to said aid center (abstract, title, fig. 4-7, 10, ¶¶: 24-25, 45, 51-54, Linnet et al. teaches contact numbers).

Consider claim 37. The method according to claim 33, wherein said personal data comprise telephone numbers to be called in case of emergency (abstract, title, fig. 4-7, 10, ¶¶: 24-25, 45, 51-54, Linnet et al. teaches contact numbers).

Consider claim 38. The method according to claim 37, wherein said service center connects said mobile terminal to one or more of said telephone numbers to be called in case of emergency case (abstract, title, fig. 4-7, 10, ¶¶: 24-25, 45, 51-54, Linnet et al. teaches contact numbers).

Consider claim 39. The method according to claim 37, wherein said service center connects said mobile terminal to an aid center and to one or more of said telephone numbers to be called in case of emergency (fig. 4-7, ¶¶: 94-100).

Consider claim 40. The method according to claim 25, further comprising storing telephone numbers to be contacted in case of emergency in said electronic card, and if it is necessary to signal that somebody got lost, said electronic card calls the telephone numbers one after the other in a sequence of calls (fig. 4-7, ¶¶: 94-100).

Consider claim 41. The method according to claim 40, further comprising terminating said sequence of calls when an answer is received from one of said telephone numbers to be called in case of emergency (abstract, title, fig. 4-7, 10, ¶¶: 24-25, 45, 51-54, Linnet et al. teaches contact numbers).

Consider claim 43. A system implementing the method according to claim 22 (abstract, title, Linnet et al. teaches system and device for emergency or distress situation).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIEGO HERRERA whose telephone number is (571)272-0907. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Diego Herrera/
Examiner, Art Unit 2617

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617